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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,396	02/04/2004	Byoung-Yue Kim	1793.1062	2743

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EXAMINER	
KAU, STEVEN Y	

ART UNIT	PAPER NUMBER
2625	

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12/16/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/770,396	KIM, BYOUNG-YUE	
	Examiner	Art Unit	
	STEVEN KAU	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 December 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-10 and 12-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-10 and 12-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 February 2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 1, 2008 has been entered.

Response to Amendment

Applicant's amendment was received on 10/24/2008, and has been entered and made of record. Claims 5 and 11 are cancelled. Claims 1-4, 6-10 and 12-14 are pending for further examination in this Action.

Response to Remark/Arguments

Applicant's arguments with respect to claims 1-4, 6-10 and 12-14 4 have been fully considered but are moot in view of the new ground(s) of rejection due to the amendments.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. With respect to claim 7, recites, the limitation of " **An apparatus** for printing data using an identification number of a printer to perform a printing process through a network in which a plurality of printers are respectively connected to a plurality of computers, comprising: a port setting portion which requests the printers to transmit identification numbers of each of the printers in response to a printer port set request and which stores the received identification numbers, the identification numbers of each of the printers being registration numbers of printer ports of each of the printers; an identification number transmitting portion which transmits the requested identification numbers; a request signal generating portion which generates an address request signal requesting a network address of a specific printer among the printers having sent the identification numbers in response to a print request and which outputs the generated address request signal; an address transmitting portion which transmits the network address in response to the address request signal; an address receiving portion which receives the transmitted network address; a data transmitting portion which transmits print data to the specific printer; and a print portion which prints the transmitted print data", (emphasis added by the examiner) where limitations must be shown or the feature(s) canceled from the claim(s).

No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1 .I21 (d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 7-10 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki (US 7,113,298) in view of Nakaoka et al (US 2002/0186408)

Regarding claim 7.

Mochizuki discloses an apparatus (**Host 10 and the networked printer in Fig. 1**) for printing data using an identification number (**e.g. printer ID, col 7, lines 45-50**) of a printer to perform a printing process through a network in which a plurality of printers are respectively connected to a plurality of computers (**e.g. printer network environment of Fig. 1**), comprising: a port setting portion (**e.g. printer retrieval unit 48 of Fig. 7**) which requests the printers to transmit identification numbers of each of the printers in response to a printer port set request (**Fig. 9 teaches printer retrieval with an identifier indicative of a request fro printer by Host 10, col 6, lines 7-57 and it is a broadcast or multicast, thus the request is sent to every printer in the network of Fig. 1**) and which stores the received identification numbers (**e.g. retrieved printer information, including printer identifier and IP address is stored as part of Driver 25 of Fig. 7, and therefore, this information can be displayed as a GUI posting to**

the operator, col 7, lines 40-55); an identification number transmitting portion (**printer retrieval responding unit 56 of Fig. 8**) which transmits the requested identification numbers (**e.g. IP address and port number, col 8, line 53 through col 9, line 8**); a request signal generating portion (**Printer retrieval packet of Fig. 9 & print request packet of Fig. 11**) which generates an address request signal requesting a network address (**printer IP address**) of a specific printer among the printers having sent the identification numbers in response to a print request (**col 6, lines 10-57 & col 7, lines 5-32**) and which outputs the generated address request signal (**Figs. 7 and 8, col 6, lines 7-57**); an address transmitting portion (**response packet from printer of Fig. 10**) which transmits the network address in response to the address request signal (**col 6, lines 38-57**); an address receiving portion (**Printer Retrieval Unit 48 of Fig. 7 & Step 9 of Fig. 13, col 7, line 56 through col 8, line 8**) which receives the transmitted network address (**col 6, lines 48-64**); a data transmitting portion (**Application 16 & port 30 of Fig. 7**) which transmits print data to the specific printer (**Figs. 14a-b, & Figs 15a-b, col 10, line 51 through col 11, line 6**); and a print portion which prints the transmitted print data (**"host posts the print data transfer unit 52 to start the printing processing in step S18", col 10, lines 51-67, one of skilled in the art understands that printer prints out the transmitted print data and col 14, lines 34-52**).

Mochizuki does not explicitly disclose that the identification numbers of each of the printers being registration numbers of printer ports of each of the printers.

Nakaoka teaches that the identification numbers of each of the printers being registration numbers of printer ports of each of the printers (**printer registration information is disclosed in Par. 329**).

Having an apparatus for printing data of Mochizuki' 298 reference and then given the well-established teaching of Nakaoka' 408 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus for printing data of Mochizuki' 298 reference to include data conversion as taught by Nakaoka' 408 reference since doing so would increase the accuracy of identifying a network printer of the apparatus for printing and further the concept of printer ID registration provided could easily be established for one another with predictable results.

Regarding claim 1.

Claim 1 recites identical features as claim 7, except claim 1 is a method claim. Thus, arguments similar to that presented above for claim 7 are also equally applicable to claim 1.

Regarding claim 8.

Mochizuki discloses wherein the address request signal includes an identification number corresponding to the specific printer (**e.g. a printer IP address and port number, col 6, lines 50-53**).

Regarding claim 9.

Mochizuki discloses an identification number checking portion (**response packet from printer of Fig. 10**) checking (judging) whether an identification number of a printer

having the address transmitting portion and the predetermined identification number are the same, in response to the address request signal having the predetermined identification number, and outputting (unicast) the result of check as a check signal (**Fig. 13, col 7, line 56 through col 8, line 27**); and a transmission portion transmitting (unicast) the network address (IP address) of the predetermined printer having the same identification number in response to the check signal (**Fig. 13, col 7, line 56 through col 8, line 27, and Figs 15a-b, col 8, line 53 through col 9, line 8**).

Regarding claim 10, in accordance with claim 7.

Mochizuki discloses wherein the network address is one of an Internet protocol (IP) address, an Internet packet exchange (IPX) address, and a media access control (MAC) address (**col 6, lines 50-57**).

Regarding claim 13.

Claim 13 recites identical features as claim 7, except claim 13 is a method claim. Thus, arguments similar to that presented above for claim 7 are also equally applicable to claim 13.

Regarding claim 2, in accordance with claim 1.

Claim 2 recites identical features as claim 9, except claim 2 is a method claim. Thus, arguments similar to that presented above for claim 9 are also equally applicable to claim 2.

Regarding claim 3, in accordance with claim 1.

Claim 3 recites identical features as claim 10, except claim 3 is a method claim. Thus, arguments similar to that presented above for claim 10 are also equally applicable to claim 3.

Regarding claim 4, in accordance with claim 1.

Claim 4 recites identical features as claim 8, except claim 4 is a method claim. Thus, arguments similar to that presented above for claim 8 are also equally applicable to claim 4.

Regarding claim 14, in accordance with claim 13.

Claim 14 recites identical features as claim 8, except claim 14 is a method claim. Thus, arguments similar to that presented above for claim 8 are also equally applicable to claim 14.

1. Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki (US 7,113,298) in view of Nakaoka et al (US 2002/0186408) as applied to claims 1 and 7 above, and in view of Motoyama et al (Motoyama) (US 6,839,717).

Regarding claim 12, in accordance with claim 7.

Mochizuki teaches using print's name as printer identifier in network printing (**col 7, lines 45-50**).

Mochizuki differs from claim 12, in that he does not expressly teach wherein the identification numbers are printer serial numbers.

Motoyama teaches wherein the identification numbers are printer serial numbers (**col 32, lines 7-34**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the combination of Mochizuki and Nakaoka to include wherein the identification numbers are printer serial numbers, but Mochizuki teaches using print's name as printer identifier in network printing taught by Motoyama to a flexible, quick and easy way to determine or identify a device for communication (**col 4, lines 10-52**).

Regarding claim 6, in accordance with claim 1.

Claim 6 recites identical features as claim 12, except claim 6 is a method claim. Thus, arguments similar to that presented above for claim 12 are also equally applicable to claim 6.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Kau whose telephone number is 571-270-1120 and fax number is 571-270-2120. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Steven Kau/
Examiner, Art Unit 2625
12/13/2008

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625